

BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A
JUDGE, NO. 03-47; 03-57; 03-215

STIPULATION

Pursuant to Rule 6J of the Rules of Judicial Qualifications Commission, the respondent, the Investigative Panel of the Commission acting through its Chair stipulate that:

A. The respondent admits the twelve (12) numbered allegations set forth in the Notice of Formal Charges filed simultaneously herewith.

B. That without further reference to the Hearing Panel or a trial before that body, the Investigative Panel may enter its findings of guilt on the charges and recommend to the Supreme Court that the respondent be reprimanded for this conduct.

C. Unless ordered by the Supreme Court, the parties waive filing of briefs on the issues and oral argument before the Court.

D. Judge Allawas acknowledges that in the twelve (12) listed cases, she was untimely in issuing rulings. She further acknowledges that her inaction resulted in very significant and unreasonable delays in those cases of between six (6) and eighteen (18) months, and that those delays adversely impacted the parties and reflected poorly upon her, the judiciary, and the legal system.

E. In responding to the Notice of Investigation issued by the Commission,

Judge Allawas explained the circumstances that she believed affected her ability to timely address cases that were pending before her. By this stipulation, Judge Allawas acknowledges that the described circumstances do not excuse her conduct or relieve her in any way of responsibility for the delays occasioned in the cases. The circumstances that Judge Allawas indicated existed at the time that the delays occurred are the following: (1) she was a newly-appointed judge and was handling legal matters in which she had no significant prior experience; (2) her situation was complicated by protracted support staff problems during her first year and one-half on the bench; and (3) she was experiencing significant personal family issues. Judge Allawas acknowledges that other new judges must deal with similar difficult circumstances, and she recognizes that she should have addressed these circumstances more quickly and without allowing them to adversely impact her handling of cases. She states that she has addressed the circumstances and will not permit such circumstances to again interfere with the performance of her duties. Judge Allawas submits that the conduct giving rise to the charges were not the result of malice on her part. She recognizes the serious nature of the charges and the impact her conduct has on the administration of justice, and she states that she will make all necessary efforts to avoid similar problems in the future.

F. Judge Allawas acknowledges and recognizes that in accordance with Judicial Canons 1, 2, and 3, it was and remains her duty and responsibility to expeditiously decide the issues presented and issue rulings, notwithstanding any extenuating circumstances, and that she bears ultimate responsibility when this duty is not discharged.

G. Attached hereto for reference are: (1) the notice of investigation; (2) the

response of the respondent; and (3) a transcript of the Rule 6b hearing held herein.

WHEREFORE, the parties agree and stipulate that public reprimand is and shall be the appropriate discipline in this case.

DATED this 29th day of July, 2004.

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